

COMMISSIONERS APPROVAL

ROKOSCH *JR*

GRANDSTAFF *CG*

THOMPSON *AT*

CHILCOTT *G*

DRISCOLL *KS*

PLETTENBERG (Clerk & Recorder)

Date.....December 17, 2007

Members Present..... Commissioner Jim Rokosch,
Commissioner Carlotta Grandstaff, Commissioner Alan Thompson, Commissioner Greg
Chilcott and Commissioner Kathleen Driscoll

Minutes: Beth Perkins

► The Board met for various administrative matters as follows:

Minute Approval for September: Commissioner Chilcott made a motion to approve the minutes for September. Commissioner Driscoll seconded the motion, all voted 'aye'.

The Board discussed the county use of the Event Pavilion: Commissioner Rokosch stated the Planning Department had discussed the use of the building with him. He stated the Event Pavilion is a great asset for the county but the county needs to cover overhead costs by generating revenue. Commissioner Grandstaff asked how often the building is requested for county use. Gary Wiley, Fair Manager replied the Planning Department requested it for January for training seminars. He stated it is usually once a month.

Commissioner Chilcott agreed the rental is needed to generate revenue in order to cover the costs of this new construction. Gary replied they are willing to work with other county departments, but revenue is a necessity for them. They need a policy in this regard.

Win Smith also addressed the needed revenue and stated the Pavilion is something people want to use. They store items for the Road Department yet they charged them to construct a road area at the fairground. Commissioner Rokosch replied Win has a good point. He stated the Board has discussed intra-departmental work.

Commissioner Chilcott stated he does not know why a school cannot be utilized for Planning's request. He further stated the County does not pick up the phone and demand use of a school and it should be the same for the Event Pavilion. Gary asked if the requested time has to be on a Saturday. Commissioner Rokosch replied yes due to the capacity. Gary stated they want to be cooperative in any way.

Commissioner Rokosch agreed a policy is needed. Commissioner Grandstaff asked if Gary has any suggestions. Gary replied they do have an estimate for raw usage such as just the cost of electricity and cleaning. Gary stated the bathrooms would have to be cleaned and the floors washed. He stated \$800 is the commercial rate but that does not include clean up and set up and garbage. He stated he would like the Fair Commission to draft a policy and come up with costs.

Commissioner Thompson stated no department should fund another department. If the Road Department could provide manpower at no cost for a department, then they should. However, if they need to provide materials such as oil, they should not have to bear that cost. As far as scheduling, that is the responsibility of the Fair Commission not the Board of Commissioners. Gary replied when Planning called in the past, if there was something on the schedule, they would rearrange their schedule to meet an available date. Those are things that need to be addressed so there are no negative impacts. Commissioner Driscoll asked how Gary is currently scheduling the Event Pavilion. Gary replied it has been on a first-come, first-serve basis pending approval from the Fair Commission. He discussed the previous event of 'Ultimate Fighting'. It needed to be approved from the Fair Commission to ensure public safety.

Commissioner Grandstaff asked how many departments have requested usage. Gary replied the Planning Department, Sheriff's Office, Environmental Health and several others. Sue Majors stated these departments need to realize there is a mortgage on this building. This mortgage is not paid by a levy or bond. Win stated they did not expect to make any money the first year, possibly break even the second year and then make a profit the third year. So far, it has been making money. Win discussed the interest rate and the payment options of the mortgage. Commissioner Rokosch stated he will discuss the capacity needs with the Planning Department. Gary stated the date they requested is currently available. Commissioner Driscoll suggested they come up with two alternative dates should a profitable entity wish to have the date. The Board concurred.

Win stated they are applying for a use permit for SAFE. The meeting with the City is this Thursday evening. He explained he will need the Board's signatures for a representative designee. Commissioner Chilcott replied it should be presented to the Board under administrative matters. The Board concurred to sign the requested use permit for Win.

► The Board met to decide the placement of two county ambulances with West Fork and Corvallis Fire Districts. Commissioner Grandstaff gave an overview of the current status of the ambulances. Commissioner Chilcott stated it is his understanding these will be leased for one dollar a year. Board discussion followed regarding leasing versus donating equipment.

David Cowardin stated Corvallis does not have space available for a second unit. Commissioner Chilcott asked if Marcus Daly is planning on taking back the first unit. David replied the unit needs a lot of work, therefore they decided to surrender it rather than spend the money to get it where it needs to be. Commissioner Rokosch stated he thinks it is long overdue to have a discussion about medical services in the county. There is a lot of disparity between the fire districts. Also a consideration is the growth and impacts on fire protection. The County has not assessed the impacts for medical needs and services on the Quick Response Units (QRU). Commissioner Chilcott stated the fire districts that run the QRU units are receiving fees from subdivisions. As for collecting fees for private services, he does not think they can. He stated they should discuss this with legal counsel. Commissioner Rokosch stated the service varies from fire district to fire district. Commissioner Driscoll expressed her concern of not having consistency with the fire districts.

Commissioner Chilcott stated they are talking about two different things. Marcus Daly Hospital has come before the Board stating they are running at a deficit. The numbers did not reflect the all services of the EMTs provided MDMH. At the time, it needed to be addressed. The taxpayers need to review the services being provided.

Commissioner Grandstaff stated she will investigate and report back to the Board. David stated he thinks the Board would have a difficult time getting levy support for private entities. Commissioner Rokosch asked about West Fork. Commissioner Grandstaff stated she has received confirmation that West Fork would like one of the ambulances. Commissioner Chilcott stated they need to negotiate a lease with them. David stated he will talk to the Corvallis Fire Department and see if they could possibly find a use for a second ambulance. **Commissioner Grandstaff made a motion to have legal counsel draft a lease agreement with West Fork Fire for the usage of the ambulance. Commissioner Driscoll seconded the motion, all voted 'aye'.**

► The Board met to discuss and decide the office relocation plan for 9-1-1, WIC, Youth Court and Public Health continued from December 4th. Commissioner Rokosch called the meeting to order. He stated the Board had some individual tasks from the last meeting. The cost was \$54,000 for the five year plan and they should have a copy of that plan prior to making a decision. He discussed funding the project with the Capital Improvements Funds. He stated there should be an actual plan of the project before utilizing those funds.

Commissioner Chilcott reminded the Board the departments may already have plans to utilize those funds and it should be discussed with them prior to this project. Commissioner Rokosch stated he is aware the IT department has plans to utilize those funds. The Board discussed their tasks assigned since the last meeting. Commissioner Chilcott stated he has not received an answer from Tishler Biese regarding CIP funds. Commissioner Driscoll stated she was supposed to investigate the school district for any space available to rent. She stated Kids First is being cut back on their funding. They might have space to lease. The Board discussed those options. Commissioner Rokosch asked what the square footage is. It is unknown at this time.

Commissioner Grandstaff stated her task was to investigate renovating the Youth Court. She stated they would need a demolition permit and two additional permits. She stated she does have the cost of fees for those permits. She stated a building permit and one parking spot per every 500 square feet of space is needed, thus she calculates 5 parking spots minimum.

Commissioner Rokosch requested comment from Judge Langton and Youth Court Director Clint Arneson. Judge Langton replied the current building is the result of combining Youth Court with Juvenile Detention. We are keeping kids here rather than sending them throughout the communities. There are several programs utilized here such as community service. Space wise, it is working well and they have adequate space. He stated moving back into the basement of the Courthouse would be very costly based on their needs. The needs derive from requirements of having separate bathroom facilities for urine testing, separate entrances, availability on the weekends, etc. Clint stated Judge Langton covered it well. One of the issues is everyone is running out of space. Judge Langton asked if Youth Court was to be brought back over to the Courthouse, where do the current sub-leasees go. He felt Youth Court space is sufficient and they should be left alone. Commissioner Rokosch stated there has been a general consensus of moving Youth Court to consolidate criminal justice services which would create a Justice Center at the Courthouse. Further, the Commissioners need to consider how growth is contributing to that plan. He discussed the needs of moving 9-1-1.

Judge Langton stated in the early 90's they went through something similar. There was a needs analysis done but no one was happy with it. The current space has worked out fine for several years. Commissioner Rokosch replied they have to look out 5 to 20 years out for the needs. They need to include all departments affected. Commissioner Driscoll stated they are taking into effect the possibility of having another judge within the next 5 to 10 years. Judge Langton stated there was a workload study completed that indicated there is a need for another judge now.

Commissioner Grandstaff stated the Board is back to square one. Judge Langton stated if the Youth Court needs are accommodated, there is no reason they could not be relocated back to the Courthouse. Clint discussed the daily operations of the Youth Court and how it relates with District Court. He stated when they originally moved from the Courthouse, they had seen fewer case counts.

Commissioner Grandstaff requested consensus of the Board not to move Public Health into the current Youth Court building. After investigating the square footage, she believes it would not address their needs or the future needs. Commissioner Chilcott stated he believes Judy Griffin did some research for new facilities. Judy replied yes she did but the cost was not affordable. Commissioner Chilcott stated the space will need to be long term for Public Health and WIC. Board discussion followed regarding other possibilities.

Commissioner Rokosch stated renovations to the basement are going to be substantial because certain things must be brought up to code. He discussed the projections of 20 years for their space needs.

Joe Frohlich, IT Director stated whenever facilities are moved, they must think of infrastructure and technology. He discussed having to commute between the Road Department and Fairgrounds for technology communications. He discussed the existing conduit for the Youth Court building. Commissioner Rokosch replied the Board will take those issues into consideration.

Commissioner Driscoll asked if there should be an appointment made with the school district for any space available. The Board concurred.

Judy asked about the consideration of Public Health moving into the Extension Office. Commissioner Rokosch replied it has not been excluded from discussion. Judy stated their needs have to be within HIPPA regulations. She stated it would be great to have a new building that would specifically access their needs and also WIC's. She would like to see room for additional office space when their need arises. Commissioner Chilcott stated they need to find a location that allows expansion. Commissioner Grandstaff questioned the past renovation costs of the southeast corner of the Courthouse. Commissioner Thompson replied the cost was estimated at \$2 million.

Commissioner Chilcott stated it is better to have Public Health and WIC facilities in close proximity to the other county services. Commissioner Driscoll asked Judy what she would like to see. Judy replied she would like to see the needs of Public Health met such as lab facilities and exam rooms. The Board discussed the utilization of the old middle school.

Commissioner Chilcott asked about the community health center grant. Commissioner Grandstaff replied it is due in December. Commissioner Chilcott stated this could be an opportunity to join into that area.

Commissioner Grandstaff stated it is a timing issue. Commissioner Driscoll stated they should look at the school option.

Commissioner Chilcott stated they need to provide for emergency response. He suggested moving 9-1-1 to the Elections Room and then assessing the needs of the other departments for a more permanent solution. Commissioner Driscoll stated the long term plan needs to be started along side the temporary solution. The Board concurred with Commissioner Driscoll. Commissioner Rokosch stated they would still look at other options to include a well thought out capital improvements plan.

Commissioner Grandstaff requested Office Staff to make an appointment with Hamilton School Administration to discuss options for space.

Commissioner Rokosch adjourned the meeting.

► The Board met for discussion and decision for directive to explore local environment health regulations regarding water resources. Present were Civil Counsel Alex Beal, Environmental Health Director Lea Jordan, Morgan Farrell from Environmental Health and Planning Director Karen Hughes.

Commissioner Rokosch called the meeting to order and gave a brief overview. He stated the Board cannot impose any subdivision requirements beyond State statutory requirements unless environmental health regulations are modified under MCA 76-3-511. He stated today's agenda is to decide to adopt regulations that address water regulations. Commissioner Grandstaff requested clarification. Commissioner Rokosch replied it is to decide to modify environmental health regulations under MCA 76-3-5 (11) to more strict regulations. Commissioner Grandstaff asked what we have to do to impose stricter regulations. Commissioner Rokosch replied to do more studies and utilizing the new CTAP for help. They are still developing what they would do. He stated there are other aspects to consider as well such as Board of Adjustment training. Commissioner Grandstaff asked what we need. Commissioner Rokosch replied that is what we are here to discuss. He stated the first step would be to look at what was adopted for Park County. Commissioner Chilcott asked for clarification. Commissioner Rokosch replied the question is whether we are making good decisions to protect our water resources. We need to study water nutrients and sediments along with surface water. Commissioner Chilcott stated we do not want to damage our most valuable resource. He stated he is willing to look at data to support a conclusion. We need to look at unbiased material, science and data rather than looking at data to support a conclusion. Commissioner Rokosch replied we do not have in place recommendations for a higher level of treatments for developers. We need to do this with good data and basis. Commissioner Driscoll stated in a conference she attended, they stated it can get to a "tipping" point very quickly. We need to place something to be proactive to a safety issue.

Commissioner Rokosch stated you have environmental health regulations and subdivision regulations. Environmental Health is addressing the safety issue. Commissioner Grandstaff stated it sounds to her like Commissioner Rokosch is saying we need to develop some regulations and come up with data to back it up. It sounds like putting the horse before the cart. She stated the Board should collect the data and then develop the regulations. Lea stated her concern is the Environmental Health Department has been questioned on the issue. She asked what the goals to obtain higher level of treatment were. As far as water quantity, they cannot regulate it. It does get reviewed in the subdivision reviews. She asked what the ultimate goals are. She stated the possible directive should be to gather data. They do not have the basis to develop regulations at this time. Commissioner Rokosch replied some of those statements to apply to State regulations such as 35 gallons per minute. We are seeing subdivision with high densities. You may have 100 units going with individual wells and they are going to get that water. It is another piece of the puzzle that would not be addressed through environmental health regulations. He further discussed sensitive areas such as Lee Metcalf Wildlife Refuge. Morgan stated for quality and dependability, the State has tightened up on it. He

can do the ones on the valley floor with well data indicating good depth. They have seen things they haven't seen before such as well permits being denied.

Commissioner Rokosch stated there have been a number of subdivisions with DEQ recommendations that can not be changed by the Board. Theresa Blazicevich stated there is a water policy legislative committee investigating the well issues such as quantity and water rights. Both DNRC and DEQ have never worked well together. There is now a regulation that requires them to work together. She believes DNRC and DEQ should eliminate the exemption. She stated we have been doing water rights before there was ever a water issue. She discussed the artificial aquifer in Lone Rock. She further discussed the quality and quantity of water in the Three Mile area. Commissioner Driscoll asked what other CPCs are looking at water quality. Karen replied not that she is aware of.

Theresa stated for Moiese Meadows Subdivision, they did recommend a higher level of treatment. She stated it is a small correction to the regulations to include individual systems. Commissioner Driscoll asked about the higher level of treatments. Theresa replied these are the decisions the Board should be making. You should look at the soils. She discussed the federal management model. (See Attached) Board discussion followed regarding individual wells and septic systems along with soils.

Commissioner Rokosch stated it is the Board's responsibility to exercise the regulations and treatments for wells. Theresa stated the Board could not approve anything outside of the Bitterroot Valley aquifer. She stated there is a question if you are within the Bitterroot Valley aquifer; you are tapping into surface water rights. Lea stated within the subdivision review process, there are some steps that will need to be involved to require if they are tapping into surface water rights. Karen asked for clarification for water quality, water quantity and surface water rights. Commissioner Driscoll asked if some of this could be tackled during subdivision review. Karen asked what the Board would like to modify. Discussion followed regarding contaminants being diluted not broken down.

Lea stated they do not have the data to back the statement up. Commissioner Rokosch stated different constituents are out there and we do have some information on them. He stated we need to pull the data we do have together. We are inventorying what we do have. Lea asked what the Board is envisioning. Commissioner Rokosch stated what makes sense to him is to have a model in place and then address it with treatment. There needs to be measurable standards.

Roger DeHaan stated it is hard to make the leap from having a constituent in your water to a pollutant. He used nitrates as an example. He discussed high levels of nitrates affecting babies and pregnant women. He stated in the subdivision regulations the criteria of Effects on Natural Environment should be the time to review these and then do the treatment. He discussed the cost and the evaluation of the EPA. He stated it is a political issue and a very tricky thing to establish. He discussed the current depth of 48 inches to water you qualify for a septic. There is no regulation on storm water. Commissioner Rokosch asked if the State is protecting us in these regulations – no. It is

our responsibility. Further discussion followed regarding the Bitterroot Valley aquifer and basin closure.

Patti Eldredge discussed surface water rights being over allocated. She stated it is a dilemma. She stated they need someone to look at the whole picture such as a county employed hydrologist with planning background. Commissioner Chilcott replied there are two GIS people to help with it.

Roger stated maybe we need to have a focus group to figure out what the key issues are. He suggested having the Board of Health to construct a model. Commissioner Grandstaff stated she likes the idea of having the separate issues identified such as the closed basin. Karen concurred with Commissioner Grandstaff. Commissioner Rokosch stated the mechanism would be to have the Board of Health develop a group to handle the project with different tools and address it with a comprehensive outlook. We need to understand the water rights issues. The water quality, quantity and rights are all linked.

Commissioner Grandstaff stated she has an idea for the Board of Health. She stated at the regular meetings run a half an hour earlier at the beginning to discuss the issues. Roger agreed. Commissioner Rokosch stated if there is a target at looking at the mechanism, State law gives the mechanism to put into local regulations. He encourages the use of the State management model. Lea expressed her concern with the budget allowing them the consultants with the tools to search for the information. Commissioner Chilcott stated it is better to educate folks before regulating them. Discussion followed regarding the collection of data.

Theresa stated you have enough information on the soils to make a decision with subdivisions. Alex replied you can not say to someone who had complied with the regulations that they are denied based on soils. He stated when zoning comes into effect it will spit out useful bricks of information. He stated when that does happen you can state you have scientific based information and regulations to base your decisions on.

Morgan stated better treatment such as pressure dose is a more reachable goal through the septic regulations. Commissioner Rokosch replied that is what we are after is identify the steps. The mechanism is well defined to follow. The next step with the Board of Health is to address the entities. The Board concurred. Commissioner Rokosch stated it is the Board of County Commissioners' concurrence to have the Board of Health identify the issues with water resources and bring them forth to the Commission at a later date.

Minutes: Glenda Wiles

- The Board met for final plat approval for the following subdivisions: (Present at this meeting was Planning Project Coordinator, Jennifer De Groot).
- Centennial Lot 17 with a subdivision improvements agreement to include a letter of credit for the CTEP ped/walkway in the amount of \$35,000. **Commissioner Chilcott made a motion to accept the subdivision improvements agreement**

**for the letter of credit and final approval of Centennial Lot 17.
Commissioner Grandstaff seconded the motion and all voted "aye".**

- **Gunshy Ridge III with a subdivision improvements agreement for a design exception from the road standards due to the inclement weather. It is noted the Road and Bridge Department recommends approval of the design exception with the condition that the applicants apply a chip seal over the entire length of Boyce Drive (an interior road), in spring or summer of 2008. Also included is a check equal to 125% of the improvements. Commissioner Grandstaff made a motion to accept the subdivision improvements agreement for design standards allowing a chip seal application in the spring or summer of 2008, and final approval of Gunshy Ridge III. Commissioner Chilcott seconded the motion and all voted "aye".**
- **Greathouse Place Minor Subdivision final plat submittal. Commissioner Chilcott made a motion to grant final approval to the Greathouse Place Minor Subdivision. Commissioner Grandstaff seconded the motion and all voted "aye".**